

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMOND CHARLES BRACKETT

Plaintiff,

v.

WENDELL ANDERSON, et al.,

Defendants.

Case No. 2:21-cv-02282-KJM-JDP (PC)

ORDER:

(1) GRANTING PLAINTIFF'S REQUEST
FOR INFORMATION AND FORMS;

(2) DENYING PLAINTIFF'S REQUEST TO
CORRECT NAME AND TO COMPEL;

(3) DENYING REQUEST TO SERVE
NOTICE ON DEFENDANTS;

(4) DIRECTING PLAINTIFF TO FILE AN
AMENDED COMPLAINT WITHIN
THIRTY DAYS OF THIS ORDER OR
INDICATE HIS INTENT TO STAND BY
THE CURRENT COMPLAINT.

ECF Nos. 18, 19, & 24

THIRTY-DAY DEADLINE

Plaintiff filed his second amended complaint, ECF No. 17, on April 21, 2022. Before I screened the complaint, however, plaintiff filed a request for information, ECF No. 18, wherein he inquired about changing his complaint to focus on Americans with Disabilities Act claims. I construe this as a motion to amend the complaint and will grant it; I will give him leave to file a new complaint within thirty days. If he declines to do so, this action will proceed on the second amended complaint.

1 Plaintiff also filed a request to correct defendant Anderson's name and to compel. ECF
2 No. 19. Therein he states that defendant Anderson's name should be "Wendell Anderson." *Id.* at
3 1. Defendant Anderson's name is already correctly reflected on the docket, however. Separately,
4 he seeks to compel the Yuba County Sheriff's Office to preserve certain video evidence. *Id.* at 1-
5 2. I decline to order the sheriff's office to take any action at this juncture. No defendant has been
6 served, and the video evidence plaintiff seeks to preserve relates to excessive force claims in his
7 second amended complaint. As noted above, plaintiff indicates that he wants to alter his
8 complaint to focus on ADA claims. Plaintiff may renew his motion to compel when the nature of
9 his complaint is settled.

10 Finally, plaintiff has filed a request to serve notice on defendants that assaults on his
11 person are a violation of his rights. ECF No. 24. If plaintiff wishes to enjoin any activity by the
12 defendants, he may file a properly supported motion for preliminary injunctive relief. This
13 request is denied.

14 Accordingly, it is ORDERED that:

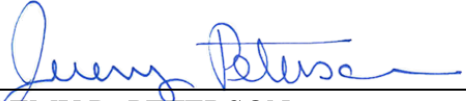
15 1. Plaintiff's request for information and forms, ECF No. 18, construed as a motion to
16 amend complaint, is GRANTED. Plaintiff should file his amended complaint within thirty days
17 of this order's entry.

18 2. Plaintiff's request to correct name and compel, ECF No. 19, and request to serve
19 notice, ECF No. 24, are DENIED.

20 3. The Clerk of Court is directed to send plaintiff a complaint form with this order.

21 IT IS SO ORDERED.
22

23 Dated: July 28, 2022
24

25 
26 JEREMY D. PETERSON
27 UNITED STATES MAGISTRATE JUDGE
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